IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 17TH SEPTEMBER 2007 / 26TH BHADRA 1929

WP(C).No. 23780 of 2007(E)

PETITIONER:

P.K.CHACKOCHAN, S/O.KURIAKOSE,
PARAYAMKUZHIYIL, POOTHRIKKA P.O., PUTHENCRUZ VIA
ERNAKULAM.

BY ADV. SRI.SHEJI P.ABRAHAM

RESPONDENTS:

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1. KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY THE MANAGING DIRECTOR,
THIRUVANANTHAPURAM.

2. DISTRICT TRANSPORT OFFICER,
MUVATTUPUZHA.

BY ADV.SRI.JOHNSON.P.JOHN, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 23780 OF 2007 E

Dated this the 17th September, 2007

JUDGMENT

Petitioner retired as a Driver from the respondent Corporation on 31.5.1994. The prayer is to disburse the amount withheld from his pensionary benefits as per Ext.P1 with twelve per cent interest from the date of retirement and to disburse the amount with interest in compliance with Ext.P2. By Ext.P2 Judgment, this Court took the view that the issue raised regarding the liability of the Driver, involved in a motor accident, is covered in favour of the Driver by virtue of the decision of a Division Bench of this Court in Badarudeen v. Kerala State Road Transport Corporation (1999 (1) ILR Ker. 1). The impugned order was quashed and the amount, if any, due to the petitioner therein was directed to be settled and disbursed within two months. Learned standing counsel appearing on behalf of the respondent Corporation submits that in the light of

Ext.P2 Judgment, the petitioner will be paid the amount of Rs.26,605/= but without any interest, within a period of one month from the date of receipt of a copy of this Judgment. The Writ Petition is disposed of recording the submission of the learned standing counsel and directing the first respondent to disbur3se the amount in question to the petitioner within a period of one month from the date of receipt of a copy of this Judgment.

K. M. JOSEPH, JUDGE

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